File No. 501

1886.

Collection No.

Mysore Residency

17

Pros. Serial Nos. 1 -

200

Subject.

Extension of the Act for the Registration of Literary Scientific and Charitable Societies (XXI of 1860) to the Coorg Station

Previous References.

Later References.

7 916/86

80PI—S27—2-DCF—6-8-24—25,000.

RESIDENT'S OFFICE.

FILE No. 507 OF 1886

From The Honorary Secretary to the Literary & Scientific Institute Bangalore

No.

Dated 4th August 1886 } Enc.

Received 6th Aug 6 1886 } Spare copies.

Subject.

Applying for Extension of Act XXI of 1860 (An act for the Registration of Literary, Scientific and Charitable Societies) to the C & M Station of Bangalore.

Notes and orders.

Serial No 1.

In the letter cited above, the Hon: Secretary to the Literary & Scientific Institute in Bangalore, acknowledges the receipt of this Office letter No 1699/3166 dated 11th June 1886 observing that Act VI of 1882 does not provide for the registration of the Association free of Cost, and states that the former applications of the Association (Serial Nos 1 & 3 of File No 316/86) were made under a misapprehension as to the scope & applicability of the act (VI of 1882) ie the Indian Company's Act and that

Serial No 7 of File No 316/86

(Continuation of Note or Precis.)

the Committee have now been advised that the association should be registered under Act XXI of 1860. But as this Act has not been extended to the Coss, the Secretary requests that this circumstance may be brought to the notice of the Resident in order that the Port of Dwarka may be moved to sanction the extension of the said Act XXI of 1860 to the Coss station of Baiyalore.

2. Act XXI of 1860 seems to be the proper act under which the association could be registered. Act VI of 1882 (the Dekkan Company's Act) sec 26, applies to Societies which are established under by the contributions of share-holders in the nature of a Joint-stock Company. The word Shares is not to be found in the Act (XX of 1860) under which the association now seeks to proceed and in lieu of it the word Subscription is used (Please see Section 15 of the Act); nor is any capital necessary

The preamble to the Act shows that the Act was framed for the purpose of providing for the improvement of the legal condition of Societies established for the promotion of literature, Science, or the fine Arts or for the diffusion of useful knowledge or for charitable purposes The Act is not repealed by Act VI of 1882, for under Sec 255 of Act VI of 1882, the words "Registrar of Joint stock Companies" in act XXI of 1860, are directed to be construed to mean Registrar of Joint Stock Companies under Act VI of 1882. This shows that the two acts ~~are~~ were intended to work together.

3 One main advantage ~~for~~ the Association have in proceeding under Act XXI of 1860 is that no shares are necessary, as pointed out above, to form an Association & the next advantage is that while Act VI of 1882 requires a fee of 100 Rs to be paid where an Association under Sec 26 of Act VI of 1882 wants to be registered & has a number of members on its roll ~~and~~ between 20 & 100, Act XXI of 1860 does not levy a fee of more than 50 Rs

Vide Schedule C of Act VI of 1882

× This association has 98 members.

Whatever the number of its members may be (Sec 3 of the Act).

4. If under these circumstances it is deemed necessary to extend Act XXI of 1860 to the C. & M Station of Bangalore, a draft letter to the Govt of India will be prepared As for the modifications necessary to be made in the Act so as to suit it to the circumstances of the C&M station, it is respectfully submitted that ~~two~~ only one modification is necessary & that is in Section 13 for the words "~~the~~ principal ~~Civil~~ Court of original "civil jurisdiction of the district" should be read 'Civil Court of the C & M station of Bangalore" In accordance with this, a draft notification will also be prepared.

5. Submitted for orders.

PSK
3/9/86.

6. It seems hardly necessary for the Govt of this Department formally to exclude an Act which appears not to have been operative for over 25 years in the C. & M. Station.

Resident

WC
9/9

7. Extract ~~It~~ may be extended with advantage: it may be useful to other societies - ~~Any further to~~ ~~may be sent~~ Letter may be addressed to India with reasons to invite attention.

25/9/86

8. Dft sub^d for approval.

1.10.86

9. Fair revised draft and send for Resident's signature

1-10

10. Letter to the Foreign Dept^t, issued, No 2773/5016 dated 6th October 1886.

Sl. No. 2.

11. Endorsement No. 4018-I. dated 11th Nov^r 1886 from the Gov^t of India, Foreign Dept^t, forwarding

Sl. No. 3 copy of Notification No. 3933-I. dated 5th Nov^r 1886, extending Act XXI of 1860 (an act for the registration of literary, scientific, and charitable societies) to the Cantonment of Bangalore.

12. A copy of the notification may be forwarded to the Hon: Secretary, Literary and Scientific Institute, Bungalow, with reference to Sl. No. 1. It is submitted that a copy may also be sent to the Civil Judge, Coonoor station, for information.

13. Draft endorsement accordingly prepared for approval.

A.S.
19-11-86.

14. Drafts issued dated 22nd November 1886.
To the Hony Secy. Lit & S. Institute. No. 3162/5016.
" " Civil Judge, Coonoor station. 3163/5016

GR

2652
86
RESIDENT IN MYSORE

Literary and Scientific Institute

Bangalore 4th August 1886.

To,

The Assistant to the
Resident in Mysore

Sir,

I am directed by the Managing Committee to acknowledge the receipt of your letter No. 1699/3166 dated the 11th June 1886, forwarding a license authorizing the registration of the Bangalore Literary and Scientific Institute under section 26 of Act VI of 1882, and observing that the Act does not provide for the registration of the Association free of Cost.

Serial 87 of File N. 316 of 1886.

2. I am now directed respectfully to bring to the notice of the Resident that the former applications for a license authorizing the registration of

*Letters dated the 20th May & 25th July 1884 from the Honorary Secretary to the Assist to the Resident

of the Institute under the provisions of Section 26 of Act VI of 1882, were made under a misapprehension of the scope and applicability of that Act to an institution of the kind under reference. The Committee has now been advised that the necessary registration should be effected under the provisions of Act XXI of 1860, an Act for the Registration of Literary, Scientific and Charitable Societies. But as this Act has not apparently been extended to the Civil and Military Station of Bangalore, I am to request that you will be so good as to bring this circumstance to the notice of the Resident, in order that the Committee venture to express the hope, the Government of India may be moved to sanction the

extension of the Act to the
Station

I have the honor to be
Sir,
Your most obedient Servant

Honorary Secretary

No. 2773/5016. Enc: 1

Resident's Office

Kuyasse 6: October 86.

To Fr: Lech Landin

I have the honour to inform you that the Hon'ble Lech of a Society founded in 1868: under the auspices of Lt L. Bowring and General Haines & called the Literary & Scientific Institute, has applied for the extension to the Ch'ts of Regulation of Act XXI of 1860 (an Act for the registration of Literary, Scientific, & Charitable Societies) with a view to the registration of the Institute under it

The introduction

2:

of the Act for this & other
purposes being desirable
I beg to submit the
application of the Institute
and to submit for approval
forward and publication
in the Gazette of India a
draft Notification of the Extension
of the Act in the provisions
of which only the modi-
fications seems necessary
to meet the requirements
local

Yours
11/10

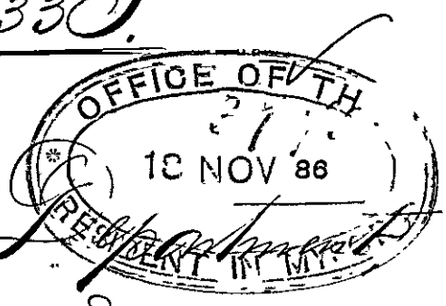
Draft Notification.

The Governor General in Council is pleased to extend Act XXI of 1860 (an act for the Registration of Literary, Scientific and Charitable Societies) to the C and M. S of Bangalore, to the Extent and Subject to the modification hereinafter set forth:-

In Section 13 for the words "principal Court of Original Civil jurisdiction of the District" read "Civil Court of the C & M. S. of Bangalore."

(Copy)

No. 3933 F.



Foreign Department

Simla, the 5th November 1886.

Notification.

The Governor-General in Council is pleased to extend Act XXI of 1860 (an Act for the Registration of Literary, Scientific, and Charitable Societies) to the Civil and Military Station of Bangalore, subject to the following modification, namely:—

In Section 13 for the words "principal Court of original civil jurisdiction of the district in which the chief building of the Society is situate", the words "Civil Court of the Civil

and Military Station of Bangalore"
shall be substituted.

Sd. H. J. Cunningham.
For Secretary to the Govt.
of India.

No. 4018 S.

Copy forwarded to the Resident in Mysore for information, with reference to his letter No. 2773/5016, dated the 6th October 1886. Sl. No. 2

By order, &c.

J. [illegible] 1886.
Junior Under Secretary to
the Government of India.

Foreign Dept.,
Simla,
The 11th November 1886.

No. 3933-I., dated Simla, 5th November 1886.

NOTIFICATION—By the Government of India, Foreign Department.

The Governor-General in Council is pleased to extend Act XXI of 1860 (an Act for the registration of Literary, Scientific, and Charitable Societies) to the Civil and Military Station of Bangalore, subject to the following modification, namely,—

In section 13 for the words "principal Court of original civil jurisdiction of the district in which the chief building of the society is situate," the words "Civil Court of the Civil and Military Station of Bangalore" shall be substituted.

RESIDENT'S OFFICE.

Serial No. 4.

[DRAFT.]—For approval.

No. 3162/5016.

Dated 22nd Novr. 1886.

To

Sl. No. 3

[Here enter Govt. of India, Foreign Departt. Notification No. 3933.I. dated 5th November 1886)

Copy forwarded to the Honorary Secretary, Literary and Scientific Institute, Bangalore, for information with reference to his letter dated 4th August 1886.

Sl. No. 1

Asstt. to the Resident

No. 3163/5016.

Copy forwarded to the Civil Judge, C & M Station of Bangalore for information.

Asstt. to the Resident

AS.
19-11-86.